

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, AUGUST 2, 2004**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:08 p.m. on Monday, August 2, 2004, with President Boyd presiding.

Councillor McWhirter led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

**ROLL CALL**

President Boyd instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*28 PRESENT: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty, Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy, Talley*  
*1 ABSENT: Sanders*

A quorum of twenty-eight members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Talley recognized State Senators Billie Breaux and Glenn Howard.

**OFFICIAL COMMUNICATIONS  
Budget Introductions**

President Boyd stated that the Mayor and the County Auditor always appear in August to introduce their budgets and lay out the plans and priorities for the coming fiscal year and beyond. He recognized Mayor Bart Peterson and asked him to present his communication regarding the 2005 budget. Mayor Peterson delivered the following address:

This budget season feels like the end of an era. We have struggled year after year to make budgets work in the face of rising costs and relatively stagnant revenues. Somehow each time we have managed to make it through. Once again, I offer you a fully funded budget that does not cut essential city services and does not raise taxes. But without significant changes in the structure of government here in Marion County, massive tax increases, layoffs of police officers, Sheriff's deputies and firefighters, or both, are on the way.

But before we go into the details, I wanted to review some of the things we have been able to accomplish together in our city even in the midst of such a bleak budget environment.

After months of intense effort, we were able to announce in June that we had reached an agreement with AAR Aircraft Services to lease part of the Indianapolis Maintenance Center at the airport. Before the end of the year, a portion of the outstanding workforce that United left stranded will be able to start back to work.

Simon Property Group will build its world headquarters building in downtown Indianapolis, and our new landmark hotel, The Conrad, is now under construction. The redevelopment of the former site of Market Square Arena will also reshape the face of the city and be the catalyst for a rebirth of the east side of downtown.

And the Market Square deal set an important precedent. The \$2 million in sale proceeds from the site will go directly into the Indianapolis Housing Trust Fund for affordable housing citywide. We have already received the first payment of \$500,000.

Later this fall, construction will begin on the first phase of a new affordable housing development on the south side where Brokenburr Trails once stood. This has the potential to turn around a troubled area as dramatically as Fall Creek Place has done. There will be 217 units of new housing, commercial development, a community center, a 2.5-acre park in the center of the community, and other amenities.

Code enforcement has been a priority of my administration since I took office in 2000. So far this year, our new night and weekend inspection force is on pace to investigate double the number of complaints than it did in 2003.

Since I last stood before you, I have announced four new charter schools, bringing the total number of charters granted in Indianapolis to thirteen. With five schools opening in the next month, we will have a total of ten charter schools operating in Indianapolis this school year.

2005 will be a big year for the arts, culture and sports in Indianapolis. The Indianapolis Symphony Orchestra will be celebrating its 75<sup>th</sup> anniversary. We will see the re-opening of the renovated Indianapolis Museum of Art. Indianapolis will host the NCAA Women's Final Four and the U.S. Gymnastics Championships. Promoting these and dozens of other important events and shows will be a key focus of our Cultural Tourism Initiative for the next eighteen months.

Most of this could not have been achieved without the partnership between the Mayor's Office and the City-County Council, a partnership that has transcended partisanship. Thank you.

With all this good news and positive momentum, it is with more than a little trepidation that I approach the subject of the sorry state of our local government finances. Earlier today, I announced a proposal that, if passed by the state legislature, will help us with a long-term solution. *Indianapolis Works* is the sweeping reform that is needed to secure our city's future financial well-being. My proposal to reform city, county and township government is laid out in a very specific, detailed document that is now available for public review. I encourage each of you to read the copy you have received and to recognize that as difficult as it is to contemplate dramatic change, we really have no choice. This year's budget makes that clear.

With the budget I bring to you today, we will continue making progress in neighborhoods, with code enforcement. We will preserve arts funding. We will provide summer programs at parks. We will continue to pick up the trash on schedule, build sidewalks, maintain the sewers, repair streets and plow snow. In short, we will not cut back on essential city services. Where we will cut back is on new spending for things such as new computer hardware and software, supplies, vehicles, equipment, tools, office furniture, and outside contracts.

*August 2, 2004*

I have announced more than \$55 million in previous budget reductions and spending cuts in the 2003 and 2004 budgets. We've taken unprecedented steps to curb spending and preserve the City's savings account in the face of financial challenges. The 2005 city budget represents an increase of \$17.2 million over the 2004 budget. Factoring out mandatory Public Safety increases, the city budget represents real spending cuts of \$1.8 million from the 2004 budget. The \$20.1 million public safety increase is due to police and fire fighter salary and benefits and police and fire pension obligations. And we funded at least \$3.4 million in non-public safety contractual increases such as sewer system contracts, a new federal water quality permit and health insurance increases, with other budget cuts.

Funding this budget has not been easy. For instance, we are proposing a number of fee increases, which will bring in more than \$400,000 in new revenue. Some of these fee increases include parking violation fines, increasing the Department of Metropolitan Development's accelerated inspection fee, and increasing some administrative fees to reflect the actual cost of providing city services.

We are taking out a one-time loan of \$10 million from the Sanitary District to enable the continuation of essential police and fire services. This is perhaps the most unappealing part of tonight's budget proposal, but we are committed to repay the loan in eighteen months.

Our biggest fiscal challenge is still finding a secure funding source to lessen the impact of exploding public safety pension obligations. Some means of managing these obligations must be created if we are to avoid catastrophic cuts in other areas. In the future, we will be seeking additional state pension relief. Today, I am asking the City-County Council to join me in establishing a public safety pension stabilization account. We are proposing to issue up to \$100 million in bonds to create a pension stabilization account for the long-term, while funding the 2005 pension shortfall. The bond proceeds would create a City pension relief fund that would be used to further stabilize the City's share of this obligation. The City could draw from that fund as needed. While I realize the creation of a pension stabilization account is only a first step, it is an important and necessary step to ending the financially dangerous practice of linking public safety operations with the payment of pension obligations.

Our City and County employees make me proud every day. It is our employees who are on the front lines, getting the job done for our citizens. There are no layoffs and no salary cuts contemplated in this budget, but once again this year we will not be able to give city employees the salary increases they deserve. However, I will do everything in my power to hold the line on health insurance cost increases for our employees.

Together, we must work to make wise use of the peoples' money. Together, we must face the dark fiscal crisis that overshadows the budgets proposed tonight. And together, we must resolve that the SerVaas Public Assembly room will not see more stop gap budgets under our leadership. I look forward to working with you over the next several weeks.  
Thank you.

Mayor Peterson then introduced his father and thanked him for his support and influence in his life and work.

President Boyd recognized Martha Womacks, County Auditor, and asked her to present her budget communication. Ms. Womacks shared the following remarks:

Mayor Peterson, Mr. President, Members of the City-County Council, Citizens of Marion County:

Let me start by stating the obvious. The reforms that have been outlined by the Mayor this evening are very intriguing — and in the eyes of some people they might be perceived as controversial. But, simply because they are challenging proposals does not diminish the need to look at all options as we seek to improve the delivery of government services in a time of increasingly scarce resources. I pledge to Mayor Peterson and to all of the members of the Council that my office is ready and willing to assist in any way we can.

As I now turn to the 2005 county budget, I must admit that I have really struggled to prepare my remarks for this evening. In the past, I have always devoted a significant portion of my speech to what could be called the “county year in review”. In my review I would focus on the accomplishments and contributions of various county agencies. This last year is no exception as our county agencies have continued to provide exemplary services in times of increased budget constraints. However, given the severity of our current fiscal situation, I will limit my comments to the revenue picture and the 2005 base-line budget.

My guess is that all of you are thinking the same thing – just how did we get into the shape we are in? Unfortunately, the answer to the question is relatively complex and would take much longer to answer than the time allotted to me this evening. However, let me just point out some of the reasons for our fiscal distress. First, our expenditures for public safety have exceeded our growth in revenues over the last several budgets. When I refer to public safety, I am doing so in the broadest sense. This includes the Courts, the Sheriff’s office, the Prosecutor’s office and most recently the Public Defender’s office. This expenditure growth (averaging more than 11% in recent years) has not been discretionary but rather it is expenditure growth that has been due to mandates from the federal courts and the state legislature. The federal court order in 2003 will cost us \$9.7 million alone in 2005.

Second, our General Fund revenue growth has declined over the same time that our mandated public safety expenditures have been growing. Historically, the city and county could count on three (3) to four (4) percent annual growth in our assessed valuation. This meant 3 to 4% growth in revenues without raising tax rates. More recently this growth has declined to below 2% and we only anticipate about 1½% growth for 2005. This growth has been insufficient to support this inflation in our public safety expenditures and as a result we have had to increasingly rely on our reserves to get by. As you are all aware, we have now exhausted our reserves.

Third, our County Option Income Tax (COIT) revenues have declined in each of the last three years. In 2002, the county’s certified share for all recipients exceeded \$122 million, and just last week we were told our certified distribution for 2005 would be \$102 million, an \$8 million reduction over 2004.

Fourth, the recent statutory changes passed by the 2003 General Assembly in Senate Bill 1 (SB1) coupled with the levy reduction imposed on the county last year resulted in a loss of nearly \$5 million, an amount from which the county can never recover. Finally, the recent reassessment has resulted in an increased number of appeals and as a result refunds must now be paid from our general operating funds. This, too, is a change attributable to SB 1.

As a result of our deteriorating revenue picture, I found myself between the proverbial “rock and a hard place” when we sat down to prepare the budget. I could have proposed raising taxes, but I could not have legally proposed enough new taxes to cover all of the requests for new spending. Additionally, I know that a county tax increase would only further exacerbate the tax differences between Marion County and the surrounding counties. Higher taxes relative to our surrounding counties is not the answer to our fiscal problems. We all know that we must do all we can to encourage families to live and work in Marion County and private business to invest here. Unfortunately, the current trend seems to be favoring the surrounding communities like Carmel, Fishers, Zionsville, Greenwood and Brownsburg where tax rates are lower than ours.

Because of the foregoing reasons, I have chosen to submit to you what I will call a base-line budget for 2005. This budget balances expenditures and revenues for 2005, but it is not a truly balanced budget because it does not propose any funding to pay down our juvenile corrections debt that is owed to the state.

While I am referencing the debt for juvenile incarcerations, I want to point out that new legislation identified funding for children’s psychiatric residential treatment through Welfare funding. Any funding that is not utilized from that fund will be turned over to the Department of Correction (DOC) toward the payment of our debt. At this time, we anticipate \$2.1 million will go to the DOC with a similar amount in 2005.

The budget I am submitting tonight recommends reductions in all agencies of county government. These are not across the board reductions, but rather reductions based on actual spending from January 1, 2004 through June 30, 2004. The same methodology has been applied to each agency.

August 2, 2004

By proposing to eliminate the “under-spending”, we have treated all agencies fairly and equally. And most important to me, because we have based our reductions on actual spending through June 30, 2004, no individual on the county payroll on that date should lose his or her job because of these recommendations. Admittedly, there is no room for growth, but we should not need to lay off anyone either.

Unfortunately, our recommendations only include funding for those agencies that have traditionally been considered a part of county government. As a result, I have not recommended funding for the following:

- Noble of Indiana
- Marion County Fair Board
- Cooperative Extension Agency

In addition, this budget includes the following recommendations for your consideration:

- No salary increases for 2005
- Privatization of Jail 1

I appreciate that many of these are controversial recommendations and I am open and will be receptive to any proposals which this Council may make to improve upon the base-line budget I have submitted to you this evening.

Let me close by simply re-emphasizing how important it is to re-think our local government structure. As you know, there have not been any major structural changes in the way government operates since the inception of Unigov in the early 1970's. I think it is time to consider changes. We have reached this fiscal crisis together, and we must all work together to find innovative ways to do things better. I look forward to working with you and the Mayor in order to see that happen. Thank you for your attention.

President Boyd thanked both Mayor Peterson and Ms. Womacks for their presentations and for their level of honesty in outlining the challenges ahead and bringing no false optimism to the process. He said that he hopes this Council can rise to the same level of honesty in budget discussions over the next few weeks to come up with responsible ideas to put the City and County on the track towards fiscal stability.

### **Clerk of the Council**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, August 2, 2004, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Rozelle Boyd  
President, City-County Council

July 20, 2004

TO PRESIDENT BOYD AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* on Wednesday, July 21, 2004 and in the *Indianapolis Star* on Thursday, July 22, 2004, a copy of a Notice of

*Journal of the City-County Council*

Public Hearing on Proposal Nos. 377, 378, 382-388, 390-393, and 397-399, 2004, said hearing to be held on Monday, August 2, 2004, at 7:00 p.m. in the City-County Building.

Respectfully,  
s/Jean Ann Milharcic  
Clerk of the City-County Council

July 30, 2004

TO PRESIDENT BOYD AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 95, 2004 - approves a transfer and increase of \$24,810 in the 2004 Budget of the Department of Public Safety, Police Division (Non-Lapsing Federal Grants Funds), to fund regional training on domestic violence conducted by the Julian Center and to fund Weed and Seed initiatives determined after the budget process, financed by a transfer between characters and a grant from the Federal Department of Justice

FISCAL ORDINANCE NO. 96, 2004 - approves an increase of \$312,761 in the 2004 Budget of the Department of Public Safety, Emergency Management and Planning Division (Non-Lapsing Federal Grants Fund), to purchase National Institute for Occupational Safety & Health (NIOSH) certified air purifying respirators and chemical warfare canisters and to fund additional needs of the Community Emergency Response Team (CERT) program, financed by grants from the Federal Department of Homeland Security and the Federal Emergency Management Agency (FEMA)

FISCAL ORDINANCE NO. 97, 2004 - approves an increase of \$3,200 in the 2004 Budget of the Department of Public Safety, Animal Care and Control Division (Consolidated County Fund), to pay for the design and installation of billboard advertisements promoting the Canine Crime Stoppers program, financed by private donations

GENERAL RESOLUTION NO. 8, 2004 - authorizes the issuance of special taxing district bonds and notes in the amount of \$60,000,000 for the Metropolitan Development Commission to purchase property commonly known as Capital Commons for the development of Simon Property Group's global headquarters

SPECIAL ORDINANCE NO. 5, 2004 - authorizes the issuance of Economic Development Revenue bonds in a principal amount not to exceed \$20,000,000 to fund the Metropolitan Development Commission's purchase of property commonly known as Capital Commons and redevelopment of the below ground parking garage

GENERAL ORDINANCE NO. 59, 2004 - amends the AUL deferred compensation plan to permit employees to transfer funds between the deferred compensation plans sponsored by the City and to add an employee's attainment of age 70 1/2 as an event allowing benefit payment

GENERAL ORDINANCE NO. 60, 2004 - authorizes a change in parking restrictions for Meadows Drive between 38th Street and 42nd Street (District 4)

GENERAL ORDINANCE NO. 61, 2004 - authorizes parking restrictions on Hudson Street from Allegheny Street to Walnut Street (District 15)

GENERAL ORDINANCE NO. 62, 2004 - authorizes intersection controls at 64th Street and Springmill Road (District 2)

Respectfully,  
s/Bart Peterson, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journal of July 19, 2004. There being no additions or corrections, the minutes were approved as distributed.

## **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 480, 2004. The proposal, sponsored by Councillors Boyd, Gray and Talley, recognizes the work of media activist George C. Stoney. Councillor Talley read the proposal and presented Mr. Stoney with a copy of the document and a Council pin. Councillor Gray stated that he appreciates all the work Mr. Stoney has done to promote social changes. Mr. Stoney thanked the Council for the recognition and said that he supports those fighting to preserve public access, and he hopes when the City does a new franchise agreement with the cable companies that they consider public access, as Indianapolis has a very poor offering regarding opportunities for public access television. Councillor Talley moved, seconded by Councillor Gray, for adoption. Proposal No. 480, 2004 was adopted by a unanimous voice vote.

Proposal No. 480, 2004 was retitled SPECIAL RESOLUTION NO. 24, 2004, and reads as follows:

### **CITY-COUNTY SPECIAL RESOLUTION NO. 24, 2004**

A SPECIAL RESOLUTION recognizing the work of media activist *George C. Stoney*.

WHEREAS, George C. Stoney has had a long and distinguished career as an educator, writer, director and producer, whose 1953 landmark educational film, "All My Babies," is preserved in the Library of Congress' National Film Registry; and

WHEREAS, Stoney was a global pioneer in the use of video as a tool for social justice, and is an avid promoter of racial justice, community, freedom of speech and social responsibility; and

WHEREAS, Stoney has produced over fifty documentaries and television shows, including "How the Myth was Made," "Southern Voices," "We Shall Overcome," "Images of the Great Depression," and "The Uprising of '34," and will be screening his new film "Getting Out" here in Indianapolis; and

WHEREAS, Stoney, a tireless media activist, co-founded the Alternative Media Center at New York University and the National Federation of Local Cable Programmers (NFLCP), and has nurtured cable access television since its inception, earning the moniker, the "father of public access television", now, therefore:

### **BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis City-County Council recognizes the work of George C. Stoney, one of the most vocal and influential advocates of the use of video as a social tool.

SECTION 2. The Council extends its appreciation and gratitude to Mr. Stoney and wishes him success in future endeavors.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 452, 2004. The proposal, sponsored by Councillor Bradford, requests that Mayor Bart Peterson, Public Safety Director Robert Turner, and Indianapolis Police Chief Jerry Barker close down known illegal gambling and after-hours clubs in the city of Indianapolis. President Boyd said that he would like to refer Proposal No. 452, 2004 to the Rules and Public Policy Committee instead of hearing the proposal as the Committee of the Whole. Councillor Bradford said that he would prefer to hear it before the entire body, but respects the President's right to refer a proposal to a Committee for public hearing. He asked if it will be on the agenda of

the Rules and Public Policy Committee for August 24, 2004, since tomorrow evening's Committee hearing was cancelled. President Boyd said that it will and that he cancelled tomorrow evening's meeting due to lack of agenda items.

PROPOSAL NO. 375, 2004. Councillor Nytes reported that the Administration and Finance Committee heard Proposal No. 375, 2004 on July 27, 2004. The proposal, sponsored by Councillor Conley, approves the Mayor's appointment of Darla Williams as hearing officer to preside over administrative adjudication of environmental violations. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. President Boyd said that he knows Ms. Williams to be a very qualified candidate for this position. Councillor Nytes moved, seconded by Councillor Conley, for adoption. Proposal No. 375, 2004 was adopted by a unanimous voice vote.

Proposal No. 375, 2004 was retitled COUNCIL RESOLUTION NO. 63, 2004, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 63, 2004

A COUNCIL RESOLUTION approving the Mayor's appointment of Darla Williams as hearing officer to preside over the administrative adjudication of environmental violations on behalf of the Consolidated City of Indianapolis and Marion County.

WHEREAS, pursuant to Section 103-503 of the "Revised Code of the Consolidated City and County," a mayoral appointment of a hearing officer to preside over the administrative adjudication of violations on behalf of the Consolidated City of Indianapolis and Marion County is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Darla Williams to serve as hearing officer at his pleasure; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Darla Williams is approved and confirmed by the City-County Council to serve as hearing officer at the pleasure of the Mayor.

SECTION 2. This ordinance shall be in effect upon adoption and compliance with I.C. § 36-3-4-14.

PROPOSAL NO. 379, 2004. Councillor Talley reported that the Metropolitan Development Committee heard Proposal No. 379, 2004 on July 26, 2004. The proposal, sponsored by Councillors Speedy and Talley, appoints Michael L. Rinebold to the Public Housing Board. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Speedy said that Mr. Rinebold is a downtown homeowner and he is pleased that he is willing and has the time to serve in this capacity. Councillor Talley moved, seconded by Councillor Speedy, for adoption. Proposal No. 379, 2004 was adopted by a unanimous voice vote.

Proposal No. 379, 2004 was retitled COUNCIL RESOLUTION NO. 64, 2004, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 64, 2004

A COUNCIL RESOLUTION appointing Michael L. Rinebold to the Public Housing Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:



*August 2, 2004*

SECTION 1. As a member of the Public Housing Board, the Council appoints:

Michael L. Rinebold

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2005. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 396, 2004. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 396, 2004 on July 21, 2004. The proposal, sponsored by Councillors Moriarty Adams, Boyd, Gray and Sanders, appoints David Hurley to the Animal Care and Control Board. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal No. 396, 2004 was adopted by a unanimous voice vote.

Proposal No. 396, 2004 was retitled COUNCIL RESOLUTION NO. 65, 2004, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 65, 2004

A COUNCIL RESOLUTION appointing David Hurley to the Animal Care and Control Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Animal Care and Control Board, the Council appoints:

David Hurley

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2004. The person appointed by this resolution shall serve at the pleasure of the Council and until a successor is appointed and qualifies.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 438, 2004. Introduced by Councillors Moriarty Adams and Franklin. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the need to lease approximately 3,700 square feet of space at 51 South New Jersey Street for use by the Department of Public Safety, Indianapolis Police Department, as helicopter hangar space and office space"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 439, 2004. Introduced by Councillors Gray, Brown and Oliver. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the need to lease approximately 4,270 square feet of space at 300 East Fall Creek Parkway North Drive for use as general office space by the Department of Public Safety, Indianapolis Fire Department"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 440, 2004. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the need to lease approximately 1,888 square feet of space at 251 East Ohio Street for use by the Marion Superior Court as office space"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 441, 2004. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$142,060 in the 2004

Budget of Voter's Registration (County General Fund) to fund the cost of printing poll books"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 442, 2004. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$41,250 in the 2004 budget of the Marion County Clerk (State and Federal Grants Fund) to fund the supervisor salary for the Pro Bono Project, funded by a grant from Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 443, 2004. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$32,694 in the 2004 Budget of Marion County Prosecutor (State and Federal Grants Fund) to fund individual, group and family therapy addressing systems of battered women and their children as a result of physical and emotional abuse through the Julian Center, funded by a grant from Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 444, 2004. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$81,045 in the 2004 Budget of Marion County Prosecutor (State and Federal Grants Fund) to fund the Salvation Army Social Service Center to provide quality shelter and supportive services to women and children who are victims of domestic violence, funded by the Indiana Criminal Justice Institute through the U.S. Department of Justice"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 445, 2004. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$26,700 in the 2004 Budget of Marion County Prosecutor (State and Federal Grants Fund) to fund Hispanic Outreach Project, which provides accessibility to services for Hispanic individuals in central Indiana, funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 446, 2004. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$31,994 in the 2004 Budget of Marion County Prosecutor (State and Federal Grants Fund) to fund the Adult Protective Services Victim Assistance Program for Family Service Association, funded by a grant from Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 447, 2004. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$95,237 in the 2004 Budget of Marion County Prosecutor (State and Federal Grants Fund) to fund 2.5 trained child interviewers located at the Child Advocacy Center, funded by a grant from Indiana Criminal Justice Institute through the U.S. Department of Justice"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 448, 2004. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$195,577 in the 2004 Budget of Marion County Prosecutor (State and Federal Grants Fund) to fund Centers of Hope at all Marion County hospitals, which provide comprehensive care to victims of sexual assault, funded by a grant from Indiana Criminal Justice Institute through the U.S. Department of Justice

Victims of Crime Act"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 449, 2004. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$346,062 in the 2004 Budget of Marion County Prosecutor (State and Federal Grants Fund) to fund the Adult Protective Services Unit, funded by a grant from Family Social Services Administration"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 450, 2004. Introduced by Councillor Randolph. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Lloyd Meadows subdivision (District 1)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 451, 2004. Introduced by Councillor Brown. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at the intersection of Leo Drive and Libra Lane (District 18)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 453, 2004. Introduced by Councillors Boyd, Sanders and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Police Special Service District Fiscal Ordinance which adopts the annual budget of the Police Special Service District for 2005 appropriating \$135,264,924 and levying property taxes to fund such budget"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 454, 2004. Introduced by Councillors Sanders, Boyd and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fire Special Service District Fiscal Ordinance which adopts the annual budget for the Fire Special Service District for 2005 appropriating \$92,569,911 and levying property taxes to fund such budget"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 455, 2004. Introduced by Councillors Boyd, Conley and Sanders. The Clerk read the proposal entitled: "A Proposal for a Solid Waste Collection Special Service District which adopts the annual budget for the Solid Waste Collection Special Service District for 2005 appropriating \$29,137,061 and levying property taxes to fund such budget"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 456, 2004. Introduced by Councillors Boyd and Sanders. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the annual budget for 2005 for the Consolidated City appropriating \$246,986,660 "; and the President referred it to the Administration and Finance, Metropolitan Development, Parks and Recreation, Public Safety and Criminal Justice, and Public Works Committees.

PROPOSAL NO. 457, 2004. Introduced by Councillors Boyd, Nytes and Sanders. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$38,734,141 for the necessary payments for city sinking funds for 2005"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 458, 2004. Introduced by Councillors Boyd, Nytes and Sanders. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates the amounts

necessary for payments from the Revenue Bonds Debt Service Funds for 2005 totaling \$70,882,649"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 459, 2004. Introduced by Councillors Gray and Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the annual budget for the Metropolitan Emergency Communications Agency for 2005 appropriating \$4,959,443"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 460, 2004. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the annual budget and levies for the Marion County Office of the State Department Family and Children for 2005 appropriating \$75,595,850 and levying property taxes to fund such expenditures"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 461, 2004. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the annual budget for 2005 for certain constitutional officers, administrative offices and agencies of Marion County appropriating \$71,055,696"; and the President referred it to the Administration and Finance and Community Affairs Committees.

PROPOSAL NO. 462, 2004. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the annual budget for 2005 for certain Marion County law enforcement and correction agencies appropriating \$93,813,853"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 463, 2004. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the annual budget for 2005 for certain judicial agencies of Marion County appropriating \$70,507,887"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 464, 2004. Introduced by Councillors Boyd, Sanders and Conley. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes loans from the Sanitary Liquid Waste Fund to the Police General Fund and to the Fire General Fund"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 465, 2004. Introduced by Councillors Borst and Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which allocates certain miscellaneous revenues of the Consolidated City and Marion County to respective funds"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 466, 2004. Introduced by Councillors Gray and Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which determines the tax levy for 2005 for each fund of the Consolidated City and Marion County "; and the President referred it to the Administration and Finance, Community Affairs, Metropolitan Development, Parks and Recreation, Public Safety and Criminal Justice, and Public Works Committees.

PROPOSAL NO. 467, 2004. Introduced by Councillors Gray and Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which authorizes the payment of certain dues for the city and county offices and agencies"; and the President referred it to the Administration and Finance, Metropolitan Development, Parks and Recreation, Public Safety and Criminal Justice, and Public Works Committees.

PROPOSAL NO. 468, 2004. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Revised Code with respect to various fees paid to the Marion County Sheriff's Department"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 479, 2004. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a decrease of \$6,136,827 in the 2004 budget of the Marion County Auditor, Marion County Recorder, Marion County Administrator and Marion County Cooperative Extension Service (County General Fund) for the purposes of increasing the fund balance of the County General Fund"; and the President referred it to the Administration and Finance Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 437, 2004. Councillor Talley reported that the Metropolitan Development Committee heard Proposal No. 437, 2004 on July 26, 2004. The proposal, sponsored by Councillor Talley, is a final resolution for Zion Properties, LLC in an amount not to exceed \$6,300,000 which consists of the acquisition and substantial rehabilitation of the existing 176 unit Park Plaza Apartments (to be renamed Pine Glen Apartments) located at 43 E. Hanna Avenue (District 23). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Borst said that this project is in his district and will be great for the south side. He encouraged Councillors to support the proposal.

Councillor Moriarty Adams stated that she will abstain from voting on Proposal No. 437, 2004 to avoid the appearance of a conflict of interest.

Councillor Talley moved, seconded by Councillor Nytes, for adoption. Proposal No. 437, 2004 was adopted on the following roll call vote; viz:

*27 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy, Talley*

*0 NAYS:*

*1 NOT VOTING: Moriarty Adams*

*1 ABSENT: Sanders*

Proposal No. 437, 2004 was retitled SPECIAL ORDINANCE NO. 6, 2004, and reads as follows:

#### **CITY-COUNTY SPECIAL ORDINANCE NO. 6, 2004**

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue \$6,300,000 City of Indianapolis, Indiana Variable Rate Demand Economic Development Revenue Bonds, Series 2004 (Pine Glen Apartments Project) (the "Bonds") and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership, trust or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, Pine Glen Limited Partnership (c/o Zion Properties, LLC) (the "Borrower") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Borrower in order to enable the Borrower to finance the acquisition, construction and equipping of an existing apartment complex with a total of 176 units on approximately 9.208 acres of real estate located at 43 E. Hanna Avenue, Indianapolis, Indiana 46227 (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report concerning the proposed financing of economic development facilities for the Borrower and the report has been submitted to the Metropolitan Development Commission of Marion County for comment thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the Project by issuing not to exceed \$6,300,000 City of Indianapolis, Indiana Variable Rate Demand Economic Development Revenue Bonds, Series 2004 (Pine Glen Apartments Project) (Athe "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on July 21, 2004, pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), found that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Commission has heretofore approved the substantially final forms of the (1) Indenture; (2) Financing Agreement; (3) Purchase Agreement; (4) Preliminary Official Statement; (5) Land Use Restriction Agreement; (6) Bonds (hereinafter referred to collectively as the "Financing Documents"); and (7) Special Ordinance authorizing the issuance of the Bonds, and has recommended for adoption this proposed form of special ordinance by a Resolution adopted July 21, 2004; and

WHEREAS, the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and, now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Borrower for the purposes of the acquisition, construction and equipping of an existing apartment complex with a total of 176 units located at 43 E. Hanna Avenue, Indianapolis, Indiana 46227 (the "Project") which will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file on by the Clerk of the Council or City-Controller.

SECTION 3. The Commission hereby recommends the Issuer issue the Bonds in one or more series and in the principal amounts not to exceed \$6,300,000 for the purpose of procuring funds to loan to the Borrower in order to finance or provide reimbursement for a portion of the cost of the Project, which Bonds will be payable as to principal and interest solely from the payments made by the Borrower. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the ASEC Rule@), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipals securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a Anear final@ official statement. The Commission recommends that: (i) the Issuer approve the use and distribution of a Preliminary Official Statement and an Official Statement, in substantially the form submitted to the Issuer, in connection with the issuance, sale and delivery of the Bonds, and that the Mayor of the Issuer sign the Official Statement if so requested by counsel to the Underwriter; (ii) the Issuer deem the Preliminary Official Statement to be final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters; and (iii) the Mayor, the City Clerk or any other officer or the Issuer familiar with the matters with respect to the

*August 2, 2004*

Issuer set forth in the Preliminary Official Statement certify to the Underwriter that the information in the Preliminary Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Official Statement.

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the purchasers thereof at a price not less than 97% of the aggregate principal amount thereof plus accrued interest, if any, and at rates of interest not to exceed 12% per annum. The Bonds will mature no later than 35 years from their date of issuance.

SECTION 6. The Commission recommends that the Mayor and City Clerk be authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The Commission also recommends that the City Clerk and City Controller be authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of the City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 7. The provisions of the special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, the special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. The Commissions recommends that the Issuer preliminarily find and determine that the amount of tax credits to be allocated, if any, to the Project under Section 42 of the Code and regulations promulgated thereunder does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project. In making the foregoing determination, the Issuer has relied upon representations of the Borrower. The foregoing determinations shall not be construed to be a representation or warranty by the Issuer as to the feasibility or viability of the Project. The Issuer hereby authorizes and directs the Mayor of the City of Indianapolis to review and make the foregoing determination again for and on behalf of the Issuer at the request of the Borrower, following receipt of supporting materials submitted by the Borrower to the Indiana Housing Finance Authority ("IHFA") and either written representations of the Borrower or of IHFA to the effect that (i) the amount of tax credits to be allocated to the Project under Section 42 of the Code does not exceed the amount necessary, if any, for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project and (ii) the Project satisfies the requirements for the allocation of a housing credit dollar amount under IHFA's qualified allocation plan. Such determinations shall occur on or about the date of the sale of the Bonds to the Purchasers thereof and on or about the date that each building is placed in service. In reliance upon the representations of the Borrower, it is hereby found and determined that the Project satisfies the requirements for the allocation of a housing credit dollar amount under IHFA's qualified allocation plan.

SECTION 9. The Secretary of this Commission is directed to cause this resolution and two copies of the Financing Documents in their final forms to be transmitted to the office of the Clerk of the Council for presentation to the City-County Council with the recommendation that the City-County Council approve such documents in their final forms pursuant to the proposed form of Special Ordinance hereby recommended to the City-County Council.

PROPOSAL NOS. 469-478, 2004. Introduced by Councillor Talley. Proposal Nos. 469-478, 2004 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on July 27, 2004. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 102-111, 2004, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 102, 2004.  
2004-ZON-042  
5340, 5410 and 5420 NORTH CARROLL ROAD (approximate address), CITY OF LAWRENCE.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #12  
DAVID SIEFKER, MARION HALL, AND R.N THOMPSON, AND ASSOCIATES,  
INCORPORATED, by Ray Good, requests a rezoning of 2.684 acres, being in the D-P District, to  
the D-2 classification to provide for residential development.

REZONING ORDINANCE NO. 104, 2004.

2004-ZON-043

7700 CAMBY ROAD (approximate address), INDIANAPOLIS.

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT #22

CAMBY DEVELOPMENT, LLC, by Thomas Michael Quinn, requests a rezoning of 20.579 acres,  
being in the D-A and D-3 Districts, to the D-6II classification to provide for multi-family  
residential development.

REZONING ORDINANCE NO. 105, 2004.

2004-ZON-044

7700 CAMBY ROAD (approximate address), INDIANAPOLIS.

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT #22

CAMBY DEVELOPMENT, LLC, by Thomas Michael Quinn, requests a rezoning of 3.773 acres,  
being in the D-A District, to the D-3 classification to provide for single-family residential  
development.

REZONING ORDINANCE NO. 106, 2004.

2004-ZON-045

6990 WEST WASHINGTON STREET (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT #13

RAY TYSON, INCORPORATED, by Michael C. Cook, requests a rezoning of 1.72 acre, being in  
the D-A District to the C-5 classification to provide for commercial uses.

REZONING ORDINANCE NO. 107, 2004.

2004-ZON-048

6010 and 6020 SOUTHEASTERN AVENUE (approximate addresses), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT #25

SUSAN C. BOHNERT, by Robert A. Hicks, requests a rezoning of 2.999 acres, being in the D-A  
and C-3 Districts, to the C-3 classification to provide for a dental office.

REZONING ORDINANCE NO. 108, 2004.

2004-ZON-055

7610 SOUTH MERIDIAN STREET (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT #23

AMERICAN LEGION POST 335, Inc., by Michael J. Kias, requests a rezoning of 1.274 acres,  
being in the C-1 District, to the SU-7 classification to provide for charitable, philanthropic, and  
non-profit uses.

REZONING ORDINANCE NO. 109, 2004.

2004-ZON-056

1015 WEST 31<sup>ST</sup> STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #15

PILGRIM MISSIONARY BAPTIST CHURCH requests a rezoning of 0.30 acre, being in the D-8  
District, to the SU-1 classification to provide for the expansion of a church parking lot.

REZONING ORDINANCE NO. 110, 2004.

2004-ZON-059

2405 MADISON AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #19

BOARD OF SCHOOL COMMISSIONERS requests a rezoning of 25.345 acres, being in the D-5  
(FW) District, to the SU-2 (FW) classification to legally establish educational uses.

REZONING ORDINANCE NO. 111, 2004.

2004-ZON-069

521 EAST NEW YORK STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #15



August 2, 2004

BROTHERS ACQUISITION, LLC requests a rezoning of 1.29 acres, being in the CBD-2 and I-3-U Districts, to the CBD-2 classification to provide for the development of attached dwelling units.

REZONING ORDINANCE NO. 103, 2004.

2004-ZON-824

5325 EAST SOUTHPORT ROAD (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT #25

SOUTHPORT PAVILION, LLC, by Joseph C. Calderon, requests a rezoning of 1.17 acres, being in the C-S District, to the C-S classification to provide for a 16,750-square-foot commercial building with C-3 permitted uses.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 377, 2004. Councillor Nytes reported that the Administration and Finance Committee heard Proposal No. 377, 2004 on July 27, 2004. The proposal, sponsored by Councillors Conley and Nytes, approves an increase of \$903,821 in the 2004 Budget of the Office of the City Controller (Transportation General Fund) to fund the debt service payments for 2004 related to the Series 2003 E Transportation Bonds issued in November 2003. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 8:15 p.m. There being no one present to testify, Councillor Nytes moved, seconded by Councillor Conley, for adoption. Proposal No. 377, 2004 was adopted on the following roll call vote; viz:

*26 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Schneider, Speedy*

*0 NAYS:*

*2 NOT VOTING: Plowman, Talley*

*1 ABSENT: Sanders*

Proposal No. 377, 2004 was retitled FISCAL ORDINANCE NO. 103, 2004, and reads as follows:

#### **CITY-COUNTY FISCAL ORDINANCE NO. 103, 2004**

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional Nine Hundred Three Thousand Eight Hundred Three Dollars (\$903,821) in the Transportation General Fund for purposes of the Office of the City Controller, and reducing the unappropriated and unencumbered balance in the Transportation General Fund.

#### **BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(f) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Office of the City Controller to fund the debt service payments for 2004 related to the Series 2003 E Transportation Bonds issued in November 2003, financed by fund balance.

SECTION 2. The sum of Nine Hundred Three Thousand Eight Hundred Three Dollars (\$903,821) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

#### **OFFICE OF THE CITY CONTROLLER**

3. Other Services and Charges

TOTAL INCREASE

#### **TRANSPORTATION GENERAL FUND**

903,821

903,821

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Transportation General Fund	<u>903,821</u>
TOTAL REDUCTION	903,821

SECTION 5. The projected December 31, 2004, fund balance for the Transportation General Fund is as follows:

Estimated cash balance as of June, 2004 (last closed fiscal month)	20,236,381
Estimated remaining revenues 2004	<u>18,472,170</u>
Projected funds available	38,708,551
2004 remaining appropriations	30,948,103
Proposed reduction appropriation (this proposal)	<u>903,821</u>
Total Requirements	31,851,924
<b>Projected fund balance December 31, 2004</b>	<b>6,856,627</b>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 378, 2004. Councillor Nytes reported that the Administration and Finance Committee heard Proposal No. 378, 2004 on July 27, 2004. The proposal, sponsored by Councillors Nytes and McWhirter, approves an increase of \$105,967 in the 2004 Budget of the Cable Communications Agency (Consolidated County Fund) to purchase new equipment and supplies for WCTY/Channel 16, financed by a cable franchise Public Educational or Governmental Access Facilities (PEG) grant. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 8:17 p.m. There being no one present to testify, Councillor Nytes moved, seconded by Councillor McWhirter, for adoption. Proposal No. 378, 2004 was adopted on the following roll call vote; viz:

*27 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Schneider, Speedy, Talley*  
*0 NAYS:*  
*1 NOT VOTING: Plowman*  
*1 ABSENT: Sanders*

Proposal No. 378, 2004 was retitled FISCAL ORDINANCE NO. 104, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 104, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional One Hundred Five Thousand Nine Hundred Sixty-seven Dollars (\$105,967) in the Consolidated County Fund for purposes of the Cable Communications Agency and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(d) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Cable Communications Agency to purchase

August 2, 2004

new equipment and supplies for WCTY/Channel 16, financed by a cable franchise Public Educational or Governmental Access Facilities (P.E.G.) grant.

SECTION 2. The sum of One Hundred Five Thousand Nine Hundred Sixty-seven Dollars (\$105,967) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>CABLE COMMUNICATIONS AGENCY</u>	<u>CONSOLIDATED COUNTY FUND</u>
2. Supplies	4,000
4. Capital Outlay	<u>101,967</u>
TOTAL INCREASE	105,967

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered	
Consolidated County Fund	<u>105,967</u>
TOTAL REDUCTION	105,967

SECTION 5. The projected December 31, 2004, fund balance for the Consolidated County Fund is as follows:

Estimated cash balance as of April, 2004 (last closed fiscal month)	38,116,638
Estimated revenues 2004 (Balance of 2004 Budgeted Revenues)	<u>18,865,093</u>
Projected funds available	56,981,731
2004 remaining appropriations	29,505,897
Proposed reduction appropriation (this proposal)	105,967
Pending additional appropriation (Proposal No. 352, 2004)	<u>3,200</u>
Total Requirements	29,615,064
<b>Projected fund balance December 31, 2004</b>	<b>27,366,667</b>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 382, 2004. Councillor Gray reported that the Parks and Recreation Committee heard Proposal No. 382, 2004 on July 29, 2004. The proposal, sponsored by Councillors Gray and Cockrum, approves an increase of \$290,000 in the 2004 Budget of the Department of Parks and Recreation (Federal Grants Fund) to continue after school programs in the Forest Manor School near 38th and Sherman, and School #108 at 3725 Kiel Avenue for the 2004 -2005 school year, financed by a 21st Century community federal grant. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 8:21 p.m.

Reverend Pamela Pinkney, citizen, provided a list of needs to Councillors and said that these schools and programs need to include the faith-based community.

Councillor Oliver said that this is a good program with a lot of services, and he encouraged Councillors to visit the schools to see how well the program works.

There being no further testimony, Councillor Gray moved, seconded by Councillor Oliver, for adoption. Proposal No. 382, 2004 was adopted on the following roll call vote; viz:

26 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Speedy, Talley

1 NAY: Schneider

1 NOT VOTING: Plowman

1 ABSENT: Sanders

Proposal No. 382, 2004 was retitled FISCAL ORDINANCE NO. 105, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 105, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional Two Hundred Ninety Thousand Dollars (\$290,000) in the Federal Grants Fund for purposes of the Department of Parks and Recreation, and reducing the unappropriated and unencumbered balance in the Federal Grants Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(l) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to continue after school programs in the Forest Manor School near 38<sup>th</sup> and Sherman, and School #108, at 3725 Kiel Avenue, for the 2004 -2005 school year, financed by a 21<sup>st</sup> Century community federal grant.

SECTION 2. The sum of Two Hundred Ninety Thousand Dollars (\$290,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
2. Supplies	17,120
3. Other Services and Charges	268,380
4. Capital Outlay	<u>4,500</u>
TOTAL INCREASE	290,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>290,000</u>
TOTAL REDUCTION	290,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 383, 2004. Councillor Gray reported that the Parks and Recreation Committee heard Proposal No. 383, 2004 on July 29, 2004. The proposal, sponsored by Councillors Gray and Cockrum, approves an increase of \$80,000 in the 2004 Budget of the Department of Parks and Recreation (Federal Grants Fund) to continue the Summer Lunch Program for 2004 and serve

August 2, 2004

approximately 65,000 lunches to needy children, financed by a federal grant. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 8:23 p.m. There being no one present to testify, Councillor Gray moved, seconded by Councillor Cockrum, for adoption. Proposal No. 383, 2004 was adopted on the following roll call vote; viz:

26 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Speedy, Talley*  
1 NAY: *Schneider*  
1 NOT VOTING: *Plowman*  
1 ABSENT: *Sanders*

Proposal No. 383, 2004 was retitled FISCAL ORDINANCE NO. 106, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 106, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional Eighty Thousand Dollars (\$80,000) in the Federal Grants Fund for purposes of the Department of Parks and Recreation Department, and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(l) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to continue the Summer Lunch Program for 2004 and serve approximately 65,000 lunches to needy children, financed by a federal grant.

SECTION 2. The sum of Eighty Thousand Dollars (\$80,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>FEDERAL GRANTS FUND</u>
2. Supplies	1,500
3. Other Services and Charges	<u>78,500</u>
TOTAL INCREASE	80,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>80,000</u>
TOTAL REDUCTION	80,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 384-388 and 390-393, 2004 on July 21, 2004. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 384, 2004. The proposal, sponsored by Councillors Moriarty Adams, Talley and McWhirter, approves an increase of \$140,000 in the 2004 Budget of the Department of Public Safety, Fire Division (Non-Lapsing Federal Grants Fund) to purchase gas masks, clothing,

hazardous materials detection and identification equipment, and other supplies for a decontamination response vehicle, financed by a grant from the Federal Department of Homeland Security and the Federal Emergency Management Agency (FEMA). PROPOSAL NO. 385, 2004. The proposal, sponsored by Councillors Moriarty Adams, Talley and McWhirter, approves an increase of \$280,000 in the 2004 Budget of the Department of Public Safety, Emergency Management and Planning Division, (Non-Lapsing Federal Grants Fund) to update planning procedures, maintain supplies, pharmaceuticals, equipment and to provide training exercises and activities for the Metropolitan Medical Response System (MMRS) financed by grants from the Federal Department of Homeland Security and the Federal Emergency Management Agency (FEMA). PROPOSAL NO. 386, 2004. The proposal, sponsored by Councillor Borst, approves an increase of \$25,000 in the 2004 Budget of Marion Superior Court (State and Federal Grants Fund) to provide for a Guardian Ad Litem, Court Appointed Special Advocate representation for children in at risk families, funded by a grant from Indiana Criminal Justice Institute. PROPOSAL NO. 387, 2004. The proposal, sponsored by Councillor Borst, approves an increase of \$556 in the 2004 budget of the Marion Superior Court, Juvenile Division, (Guardian Ad Litem Fund) to cover payment for 2004. PROPOSAL NO. 388, 2004. The proposal, sponsored by Councillor Borst, approves an increase of \$50,000 in the 2004 Budget of Marion Superior Court (State and Federal Grants Fund) to fund an Access program for Marion County Circuit and Superior Courts, funded by a grant from Indiana Family & Social Services Administration. PROPOSAL NO. 390, 2004. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$445,100 in the 2004 budget of the Marion County Justice Agency (State and Federal Grants Fund) for salaries and fringes for Metro Drug Task Force employees, funded by a grant from the Metro Drug Task Force. PROPOSAL NO. 391, 2004. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$55,590 in the 2004 budget of the Marion County Justice Agency (State and Federal Grants Fund) for the salary of the Indianapolis Violence Reduction Partnership Coordinator and Indianapolis Violence Reduction Partnership newsletter, funded by a grant from Indiana Criminal Justice Institute. PROPOSAL NO. 392, 2004. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$36,549 in the 2004 Budget of the Marion County Public Defender Agency (State and Federal Grants Fund) to appropriate funds for Juvenile Disposition Project, funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 393, 2004. The proposal, sponsored by Councillors Moriarty Adams and Talley, approves an increase of \$25,455 in the 2004 Budget of Marion County Sheriff's Department (State and Federal Grants Fund) to increase support, development and rehabilitate juvenile delinquency, funded by a grant from the Indiana Criminal Justice Institute. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Boyd called for public testimony at 8:42 p.m.

Reverend Pinkney said that Proposal Nos. 384 and 385, 2004 trouble her. She said that money is being continually spent on weapons that cause the death of women, children, and families, promoting a mindset of fear and anger. She said that money needs instead to be spent on other devices to fight battles, such as education. She said that she does not see where the Guardian Ad Litem program has any benefit, and therefore is also opposed to Proposal No. 386, 2004.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor Borst, for adoption. Proposal Nos. 384-388 and 390-393, 2004 were adopted on the following roll call vote; viz:

August 2, 2004

26 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Schneider, Speedy, Talley

0 NAYS:

2 NOT VOTING: Plowman, Randolph

1 ABSENT: Sanders

Proposal No. 384, 2004 was retitled FISCAL ORDINANCE NO. 107, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 107, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional One Hundred Forty Thousand Dollars (\$140,000) in the Non-Lapsing Federal Grants Funds for purposes of the Department of Public Safety, Fire Division, and reducing the unappropriated and unencumbered balance in the Non-Lapsing Federal Grants.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Fire Division, to purchase gas masks, clothing, hazardous materials detection and identification equipment, and other supplies for a decontamination response vehicle, financed by a grant from the Federal Department of Homeland Security and the Federal Emergency Management Agency (FEMA).

SECTION 2. The sum of One Hundred Forty Thousand Dollars (\$140,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

FIRE DIVISION

NON-LAPSING FEDERAL GRANTS FUND

2. Supplies	13,947
3. Other Services and Charges	30,321
4. Capital Outlay	<u>95,732</u>
TOTAL INCREASE	140,000

SECTION 4. The said additional appropriation is funded by the following reductions:

NON-LAPSING FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	<u>140,000</u>
TOTAL REDUCTION	140,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 385, 2004 was retitled FISCAL ORDINANCE NO. 108, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 108, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional Two Hundred Eighty Thousand Dollars (\$280,000) in the Non-Lapsing Federal Grants Funds for purposes of the Department of Public Safety, Emergency Management and Planning Division, and reducing the unappropriated and unencumbered balance in the Non-Lapsing Federal Grants Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Emergency Management and Planning Division to update planning procedures, maintain supplies, pharmaceuticals, equipment and to provide training exercises and activities for the Metropolitan Medical Response System (MMRS) financed by grants from the Federal Department of Homeland Security and the Federal Emergency Management Agency (FEMA).

SECTION 2. The sum of Two Hundred Eighty Thousand Dollars (\$280,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>EMERGENCY MANAGEMENT AND PLANNING DIV</u>	
<u>NON-LAPSING FEDERAL GRANTS FUND</u>	
2. Supplies	16,670
3. Other Services and Charges	72,480
4. Capital Outlay	<u>190,850</u>
TOTAL INCREASE	280,000

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>NON-LAPSING FEDERAL GRANTS FUND</u>	
Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	<u>280,000</u>
TOTAL REDUCTION	280,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 386, 2004 was retitled FISCAL ORDINANCE NO. 109, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 109, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional Twenty-five Thousand Dollars (\$25,000) in the State and Federal Grants Fund for purposes of the Marion County Superior Court and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:



August 2, 2004

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (f) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to provide for a Guardian Ad Litem, Court Appointed Special Advocate representation for children in at-risk families.

SECTION 2. The sum of an additional Twenty-five Thousand Dollars (\$25,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>25,000</u>
TOTAL INCREASE	25,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>25,000</u>
TOTAL REDUCTION	25,000

SECTION 5. No local match

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 387, 2004 was retitled FISCAL ORDINANCE NO. 110, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 110, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No.114, 2003) appropriating an additional Five Hundred Fifty-six Dollars (\$556) in the Guardian Ad Litem Fund for purposes of the Marion County Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the Guardian Ad Litem Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(f) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated to appropriate funds to cover payment for 2004.

SECTION 2. The sum of Five Hundred Fifty-six Dollars (\$556) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION SUPERIOR COURT, JUVENILE DIVISION</u>	<u>GUARDIAN AD LITEM FUND</u>
3. Other Services and Charges	<u>556</u>
TOTAL INCREASE	556

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>GUARDIAN AD LITEM FUND</u>
Unappropriated and Unencumbered	
Guardian Ad Litem	<u>556</u>
TOTAL REDUCTION	556

SECTION 5. The projected December 31, 2004, fund balance for the Guardian Ad Litem Fund is as follows:

Current cash balance 06-30-04	152,383
Anticipated additional revenue through December 31, 2004	556
Projected funds available	152,939
Remaining appropriations and encumbrances	150,000
Proposed additional appropriation	556
Funds required	150,556
Projected fund balance December 31, 2004	1,827

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 388, 2004 was retitled FISCAL ORDINANCE NO. 111, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 111, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional Fifty Thousand Dollars (\$50,000) in the State and Federal Grants Fund for purposes of the Marion County Superior Court and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (f) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to appropriate funds for an Access program of Marion County Circuit and Superior Courts.

SECTION 2. The sum of an additional Fifty Thousand Dollars (\$50,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services-fringes	11,223
Personal Services	36,414
2. Supplies	1,000
3. Other Services and Charges	<u>1,363</u>
TOTAL INCREASE	50,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>50,000</u>
TOTAL REDUCTION	50,000

SECTION 5. No local match.

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the

August 2, 2004

appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 390, 2004 was retitled FISCAL ORDINANCE NO. 112, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 112, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional Four Hundred Forty-five Thousand One Hundred Dollars (\$445,100) in the State and Federal Grants Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(d) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency for salaries and fringes for Metro Drug Task Force employees.

SECTION 2. The sum of Four Hundred Forty-five Thousand One Hundred Dollars (\$445,100) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	231,130
Fringes	45,055
3. Other Services and Charges	<u>168,915</u>
TOTAL INCREASE	445,100

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>445,100</u>
TOTAL REDUCTION	445,100

SECTION 5. Local match of \$148,367 is funded by the following existing appropriations in the Marion County Sheriff's budget (\$50,825) and \$97,542 from the Indianapolis Police Department.

Existing appropriation for the Marion County Sheriff:

	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>50,825</u>
TOTAL MATCH	50,825

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 391, 2004 was retitled FISCAL ORDINANCE NO. 113, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 113, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional Fifty-five Thousand Five Hundred Ninety Dollars (\$55,590) in the State and Federal Grants Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(d) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency for the salary of the Indianapolis Violence Reduction Partnership Coordinator and Indianapolis Violence Reduction Partnership newsletter.

SECTION 2. The sum of Fifty-five Thousand Five Hundred Ninety Dollars (\$55,590) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	54,590
3. Other Services and Charges	<u>1,000</u>
TOTAL INCREASE	55,590

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>55,590</u>
TOTAL REDUCTION	55,590

SECTION 5. Local match of \$18,530 is funded by the following existing appropriations in the Marion County Justice Agency (\$9,265) and \$9,265 from the Law Enforcement Fund.

Existing appropriation for the Marion County Justice Agency

	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>9,265</u>
TOTAL MATCH	9,265

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 392, 2004 was retitled FISCAL ORDINANCE NO. 114, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 114, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2003 (City-County Fiscal Ordinance No. 115 2003 appropriating an additional Thirty-six Thousand Five Hundred Forty-nine Dollars (\$36,549) in the State and Federal Grants Fund for purposes of the Marion County Public Defender Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

August 2, 2004

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (b) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Public Defender Agency to allocate funds for Juvenile Disposition Project.

SECTION 2. The sum of Thirty-six Thousand Five Hundred Forty-nine Dollars (\$36,549) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PUBLIC DEFENDER AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services-fringes	17,500
Fringes	1,349
2. Supplies	500
3. Other Services and Charges	16,000
4. Capital Outlay	<u>1,200</u>
TOTAL INCREASE	36,549

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>36,549</u>
TOTAL REDUCTION	36,549

SECTION 5. Local match \$12,209 from Drug Free Fund.

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 393, 2004 was retitled FISCAL ORDINANCE NO. 115, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 115, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional Twenty-five Thousand Four Hundred Fifty-five Dollars (\$25,455) in the State and Federal Grants Fund for purposes of the Marion County Sheriff's Department and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (g) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Sheriff's Department to increase support, development and rehabilitate juvenile delinquency.

SECTION 2. The sum of Twenty-five Thousand Four Hundred Fifty-five Dollars (\$25,455) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY SHERIFF</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>25,455</u>
TOTAL INCREASE	25,455

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>25,455</u>
TOTAL REDUCTION	25,455

SECTION 5. No local match.

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 397, 2004. Councillor Conley reported that the Public Works Committee heard Proposal No. 397, 2004 on July 22, 2004. The proposal, sponsored by Councillor Conley, approves an increase of \$400,000 in the 2004 Budget of the Department of Public Works, Engineering Division (Stormwater Management Fund) to provide sampling, monitoring, administrative, and community outreach responsibilities required for compliance with the National Pollutant Discharge Elimination System (NPDES) Permit issues by the Indiana Department of Environmental Management. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 8:52 p.m. There being no one present to testify, Councillor Conley moved, seconded by Councillor Gibson, for adoption. Proposal No. 397, 2004 was adopted on the following roll call vote; viz:

*27 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Schneider, Speedy, Talley*  
*0 NAYS:*  
*1 NOT VOTING: Randolph*  
*1 ABSENT: Sanders*

Proposal No. 397, 2004 was retitled FISCAL ORDINANCE NO. 116, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 116, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional Four Hundred Thousand Dollars (\$400,000) in the Stormwater Management Fund for purposes of the Department of Public Works, Engineering Division, and reducing the unappropriated and unencumbered balance in the Stormwater Management Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(j) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Engineering

August 2, 2004

Division, to provide sampling, monitoring, administrative, and community outreach responsibilities required for compliance with the National Pollutant Discharge Elimination System (NPDES) Permit issues by the Indiana Department of Environmental Management, financed by fund balance.

SECTION 2. The sum of Four Hundred Thousand Dollars (\$400,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS

ENGINEERING DIVISION

STORMWATER MANAGEMENT FUND

3. Other Services and Charges	<u>400,000</u>
TOTAL INCREASE	400,000

SECTION 4. The said additional appropriation is funded by the following reductions:

STORMWATER MANAGEMENT FUND

Unappropriated and Unencumbered	
Stormwater Management Fund	<u>400,000</u>
TOTAL REDUCTION	400,000

SECTION 5. The projected December 31, 2004, fund balance for the Stormwater Management Fund is as follows:

Estimated cash balance as of June, 2004 (last closed fiscal month)	6,633,628
Estimated revenues 2004 (Balance of 2004 Budgeted Revenues)	<u>1,867,542</u>
Projected funds available	8,501,170
2004 remaining appropriations	1,852,798
Proposed reduction appropriation (this proposal)	400,000
Pending additional appropriation (Proposal No. 294 & 259, 2004)	<u>0</u>
Total Requirements	2,252,798
<b>Projected fund balance December 31, 2004</b>	<b>6,248,373</b>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 398, 2004. Councillor Conley reported that the Public Works Committee heard Proposal No. 398, 2004 on July 22, 2004. The proposal, sponsored by Councillors Conley and Speedy, approves the issuance of \$60 million in debt by the Stormwater Utility to refund outstanding short-term debt and to raise funds for qualified projects of the Stormwater Utility. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 8:53 p.m. There being no one present to testify, Councillor Conley moved, seconded by Councillor Gibson, for adoption. Proposal No. 398, 2004 was adopted on the following roll call vote; viz:

25 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Schneider, Speedy, Talley*  
0 NAYS:  
3 NOT VOTING: *Cain, Franklin, Randolph*  
1 ABSENT: *Sanders*

Proposal No. 398, 2004 was retitled GENERAL RESOLUTION NO. 9, 2004, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 9, 2004

A PROPOSAL FOR A GENERAL RESOLUTION approving the issuance of one or more series of City of Indianapolis, Indiana Storm Water Revenue Bonds and, if necessary, one or more series of bond anticipation notes in an aggregate principal amount not to exceed Sixty Million Dollars (\$60,000,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Board of Asset Management and Public Works ("Board") of the City of Indianapolis, Indiana ("City"), being the governing body of the Storm Water District of the City ("Storm Water District"), has determined that it is necessary to issue revenue bonds ("Bonds") of the Storm Water District in one or more series and bond anticipation notes ("BANs") of the Storm Water District to be issued in one or more series, in the aggregate principal amount not to exceed Sixty Million Dollars (\$60,000,000) for the purposes of procuring funds to apply to the costs of the projects specified in Exhibit A ("Projects") and refunding the Storm Water District's outstanding short-term notes ("Notes"); and

WHEREAS, IC 36-3-5-8 requires the City-County Council to approve the issuance of bonds or notes by any special taxing district of the City; and

WHEREAS, IC 5-1.4 provides that a "qualified entity", which term includes the Storm Water District, may issue and sell its bonds or notes to The Indianapolis Local Public Improvement Bond Bank ("Bond Bank"); and

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase the Bonds and BANs in a negotiated sale subject to approval by the Board of Directors of the Bond Bank; and

WHEREAS, the City-County Council has determined that the issuance of the Bonds and BANs by the Storm Water District should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA;

SECTION 1. The City-County Council does hereby approve the issuance of the Bonds of the Storm Water District, to be issued in one or more series, and BANs to be issued in one or more series, in an aggregate principal amount not to exceed Sixty Million Dollars (\$60,000,000) to apply on the costs of the Projects and refunding the Storm Water District's outstanding Notes, and hereby approves the sale of the Bonds and the BANs to the Bond Bank.

SECTION 2. This Resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 399, 2004. Councillor Conley reported that the Public Works Committee heard Proposal No. 399, 2004 on July 22, 2004. The proposal, sponsored by Councillors Conley, Speedy and Nytes, approves the issuance of \$100 million in debt by the Sanitary District to refund outstanding short-term debt and to raise funds for qualified projects of the Sanitary District. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 8:53 p.m.

Reverend Pinkney said that she does not see anything positive as a result of money that has already been spent and would like to see more information about debt refunding. She asked where exactly the sanitary district is and said that there is too much garbage in the City.

Councillor Schneider said that he has a great interest in this proposal as he hopes there is stormwater money for a long-awaited project in his district. James Garrard, director of the Department of Public Works, said that this project is included and he believes the project will begin this fall.



August 2, 2004

Councillor Cockrum asked if the Mars Hill neighborhood is addressed with these project approvals. Mr. Garrard said that they will address some of the Mars Hill issues with this money.

Councillor Borst thanked Mr. Garrard for the summary provided to Councillors. He asked if Proposal Nos. 398 and 399, 2004 are both refundings. Mr. Garrard said that they are refundings of short-term commercial debt loans, like what is used for construction of a house. Councillor Borst asked if the \$30 million refunding costs are in Proposal No. 399, 2004. Mr. Garrard said that there is \$15 million of refunding in each proposal. Councillor Borst asked if there are then \$85 million of new projects planned. Mr. Garrard said that it is very close to this amount. Councillor Borst asked if the stormwater fee and sanitary district funds will be used to pay off these bonds. Mr. Garrard said that they will. Councillor Borst asked if Exhibit A of the proposal shows both proposals mixed together, as they do not seem to add up to the total amount. Mr. Garrard said that Councillors should have had a new Exhibit A in their mailboxes.

There being no further testimony, Councillor Conley moved, seconded by Councillor Gibson, for adoption. Proposal No. 399, 2004 was adopted on the following roll call vote; viz:

*26 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Schneider, Speedy, Talley*  
*0 NAYS:*  
*2 NOT VOTING: Franklin, Randolph*  
*1 ABSENT: Sanders*

Proposal No. 399, 2004 was retitled GENERAL RESOLUTION NO. 10, 2004, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 10, 2004

A PROPOSAL FOR A GENERAL RESOLUTION approving the issuance of one or more series of City of Indianapolis, Indiana Sanitary District Revenue Bonds and, if necessary, one or more series of bond anticipation notes in an aggregate principal amount not to exceed One Hundred Million Dollars (\$100,000,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Board of Asset Management and Public Works ("Board") of the City of Indianapolis, Indiana ("City"), being the governing body of the Sanitary District of the City ("Sanitary District"), has determined that it is necessary to issue revenue bonds ("Bonds") of the Sanitary District in one or more series and bond anticipation notes ("BANs") of the Sanitary District to be issued in one or more series, in the aggregate principal amount not to exceed One Hundred Million Dollars (\$100,000,000) for the purposes of procuring funds to apply to the costs of the projects specified in Exhibit A ("Projects") and refunding the Sanitary District's outstanding short-term notes ("Notes"); and

WHEREAS, IC 36-3-5-8 requires the City-County Council to approve the issuance of bonds or notes by any special taxing district of the City; and

WHEREAS, IC 5-1.4 provides that a "qualified entity", which term includes the Sanitary District, may issue and sell its bonds or notes to The Indianapolis Local Public Improvement Bond Bank ("Bond Bank"); and

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase the Bonds and BANs in a negotiated sale subject to approval by the Board of Directors of the Bond Bank; and

WHEREAS, the City-County Council has determined that the issuance of the Bonds and BANs by the Sanitary District should be approved; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA;

SECTION 1. The City-County Council does hereby approve the issuance of the Bonds of the Sanitary District, to be issued in one or more series, and BANs to be issued in one or more series, in an aggregate principal amount not to exceed One Hundred Million Dollars (\$100,000,000) to apply on the costs of the Projects and refunding the Sanitary District's outstanding Notes, and hereby approves the sale of the Bonds and the BANs to the Bond Bank.

SECTION 2. This Resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 376, 2004. Councillor Nytes reported that the Administration and Finance Committee heard Proposal No. 376, 2004 on July 27, 2004. The proposal, sponsored by Councillors Moriarty Adams and Keller, determines the need to lease approximately 59,530 square feet of office space at 1737 Massachusetts Avenue for a Work Release Center. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Nytes moved, seconded by Councillor Keller, for adoption. Proposal No. 376, 2004 was adopted on the following roll call vote; viz:

*26 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy*

*0 NAYS:*

*2 NOT VOTING: Cain, Talley*

*1 ABSENT: Sanders*

Proposal No. 376, 2004 was retitled SPECIAL RESOLUTION NO. 25, 2004, and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 25, 2004**

A SPECIAL RESOLUTION determining the need to lease approximately 59,530 square feet of office space at 1737 Massachusetts Avenue, Indianapolis, Indiana, for a Work Release Center of the Marion County Community Corrections Agency.

#### **BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council, pursuant to I.C. 36-1-10-7(2), has investigated the conditions requiring the subject lease and hereby determines the lease of office space for the use of a Work Release Center of the Marion County Community Corrections Agency is necessary.

SECTION 2. The property to be leased is located at 1737 Massachusetts Avenue, Indianapolis, Indiana, and is owned by Meridian Asset Development of Indianapolis, Indiana.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with I.C. 36-3-4-14.

PROPOSAL NO. 381, 2004. Councillor Gray reported that the Parks and Recreation Committee heard Proposal No. 381, 2004 on July 29, 2004. The proposal, sponsored by Councillors Gray, Cockrum and Randolph, approves a transfer of \$15,618 in the 2004 Budget of the Department of Parks and Recreation (Non-Lapsing State Grants Fund) to construct a playground at Northwestway Park financed by a transfer between characters. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Randolph thanked his co-sponsors on the proposal for helping to make this project a reality. Councillor Gray moved, seconded by Councillor Randolph, for adoption. Proposal No. 381, 2004 was adopted on the following roll call vote; viz:

August 2, 2004

25 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

0 NAYS:

3 NOT VOTING: Cain, Nytes, Talley

1 ABSENT: Sanders

Proposal No. 381, 2004 was retitled FISCAL ORDINANCE NO. 117, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 117, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) transferring and appropriating an additional Fifteen Thousand Six Hundred Eighteen Dollars (\$15,618) in the Non-Lapsing State Grants Fund for purposes of the Department of Parks and Recreation and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(l) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to construct a playground at Northwestway Park, financed by a transfer between characters.

SECTION 2. The sum of Fifteen Thousand Six Hundred Eighteen Dollars (\$15,618) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>NON-LAPSING STATE GRANTS FUND</u>
4. Capital Outlay	15,618
TOTAL INCREASE	15,618

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>NON-LAPSING STATE GRANTS FUND</u>
2. Supplies	2,645
3. Other Services and Charges	12,973
TOTAL DECREASE	15,618

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 389, 2004. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 389, 2004 on July 21, 2004. The proposal, sponsored by Councillor Borst, approves a transfer of \$12,400 in the 2004 Budget of the Marion Superior Court (County General Fund) to transfer Character 04 money to Character 01 to fund a part-time bailiff for Paternity Court. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Moriarty Adams made the following motion:

Mr. President:

I move to recommend to the Council that Proposal No. 389, 2004 be amended by changing all references of Marion Superior Court to Marion Circuit Court.

Councillor Borst seconded the motion, and Proposal No. 389, 2004 was amended on the following roll call vote; viz:

26 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

0 NAYS:

2 NOT VOTING: Cain, Talley

1 ABSENT: Sanders

Councillor Moriarty Adams moved, seconded by Councillor Borst, for adoption as amended. Proposal No. 389, 2004, as amended, was adopted on the following roll call vote; viz:

26 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Schneider, Speedy

0 NAYS:

2 NOT VOTING: Randolph, Talley

1 ABSENT: Sanders

Proposal No. 389, 2004, as amended, was retitled FISCAL ORDINANCE NO. 118, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 118, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) transferring and appropriating an additional Twelve Thousand Four Hundred Dollars (\$12,400) in the County General Fund for purposes of the Marion Circuit Court and reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(d) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes Marion Circuit Court, to transfer Character 04 money to Character 01 to fund a part-time bailiff for Paternity Court.

SECTION 2. The sum of additional Twelve Thousand Four Hundred Dollars (\$12,400) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION CIRCUIT COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>12,400</u>
TOTAL INCREASE	12,400

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION CIRCUIT COURT</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	<u>12,400</u>
TOTAL DECREASE	12,400

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 395, 2004. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 395, 2004 on July 21, 2004. The proposal, sponsored by Councillors Moriarty Adams and Talley, approves a transfer of \$201,224 in the 2004 Budget of the Marion County Sheriff (State and Federal Grants Fund) to purchase

August 2, 2004

equipment. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Gray, for adoption. Proposal No. 395, 2004 was adopted on the following roll call vote; viz:

26 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy*  
0 NAYS:  
2 NOT VOTING: *Mansfield, Talley*  
1 ABSENT: *Sanders*

Proposal No. 395, 2004 was retitled FISCAL ORDINANCE NO. 119, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 119, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114 2003) transferring and appropriating an additional Two Hundred One Thousand Two Hundred Twenty-four Dollars (\$201,224) in the State and Federal Grants Fund for purposes of the Marion County Sheriff's Department and Marion County Auditor and reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1. (b) Of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Sheriff's Department and Auditor to transfer between characters to purchase equipment..

SECTION 2. The sum of Two Hundred One Thousand Two Hundred Twenty-four Dollars (\$201,224) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY SHERIFF</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
4. Capital Outlay	<u>201,224</u>
TOTAL INCREASE	201,224

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
2. Supplies	95,000
3. Other Services and Charges	<u>106,224</u>
TOTAL DECREASE	201,224

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 400, 2004. Councillor Conley reported that the Public Works Committee heard Proposal No. 400, 2004 on July 22, 2004. The proposal, sponsored by Councillors Conley and Keller, approves acquisition of real property to help reduce or eliminate combined sewer overflows in the lower reaches of Pogues Run. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Keller, for adoption. Proposal No. 400, 2004 was adopted on the following roll call vote; viz:

26 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Speedy, Talley*

0 NAYS:

2 NOT VOTING: *Plowman, Schneider*

1 ABSENT: *Sanders*

Proposal No. 400, 2004 was retitled GENERAL RESOLUTION NO. 11, 2004, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 11, 2004

A GENERAL RESOLUTION establishing that the City-County Council of the City of Indianapolis and Marion County, Indiana, is interested in making the purchase of specified land.

WHEREAS, the City-County Council of the City of Indianapolis and Marion County, Indiana, ("City-County Council") is the fiscal body of the City of Indianapolis pursuant to IC 36-1-10.5-1, et seq; and

WHEREAS, pursuant to IC 36-1-10.5-5 the City of Indianapolis may purchase land only after the City-County Council passes a resolution to the effect that the City-County Council is interested in making a purchase of specified land; and

WHEREAS, the City of Indianapolis wishes to purchase sanitary sewer and drainage easements upon a particular parcel of real estate located in Marion County, which are described in Exhibit "A", which is attached hereto and incorporated herein, ("Real Estate Easements"); and

WHEREAS, the project for which these easements are being obtained is designed to construct a large-diameter sanitary sewer consolidation line; to reduce or eliminate combined sewer overflows from three outfalls; to reconfigure the channel and stream banks of portions of Pogues Run, for the purpose of flood reduction in the Cottage Home and Windsor Park neighborhoods, thus removing an estimated 250 homes and businesses from the regulatory flood plain, eliminating the need for flood insurance and removing flood control district zoning development restrictions for those affected properties; and

WHEREAS, the City-County Council, having considered the acquisition of the Real Estate Easements and being duly advised, finds that the City-County Council has an interest in acquiring the Real Estate Easements; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby establishes that the City-County Council has an interest in acquiring the Real Estate Easements described in Exhibit "A" (a copy of which is attached to the official copy of the resolution on file with the Clerk of the Council).

SECTION 2. For purposes of Revised Code Sec. 151-66 the Real Estate is owned the Board of School Commissioners of the City of Indianapolis, through a Quit Claim Deed which was recorded in the office of the Marion County Recorder in Book 63, Page 578, and through Corporate Warranty Deed which was recorded in the office of the Marion County Recorder as Instrument Number 1975-47333.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 403-422, 2004 on July 22, 2004. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 403, 2004. The proposal, sponsored by Councillor Keller, authorizes changes in parking restrictions and intersection control changes on Hoyt Avenue, Keystone Avenue and Rural Street (District 16). PROPOSAL NO. 404, 2004. The proposal, sponsored by Councillor Borst, authorizes intersection controls for the Deerfield Village Subdivision (District 23). PROPOSAL NO. 405, 2004. The proposal, sponsored by Councillor Brown, authorizes intersection controls for the Cumberland Lakes Subdivision, Section 1 (District 18). PROPOSAL

NO. 406, 2004. The proposal, sponsored by Councillor Cockrum, authorizes intersection controls for the Maple Grove Estates Subdivision, Sections 1 and 2 (District 22). PROPOSAL NO. 407, 2004. The proposal, sponsored by Councillor McWhirter, authorizes intersection controls for the Robey Meadows Subdivision (District 6). PROPOSAL NO. 408, 2004. The proposal, sponsored by Councillor McWhirter, authorizes intersection controls for the Robey Glen Subdivision (District 6). PROPOSAL NO. 409, 2004. The proposal, sponsored by Councillor McWhirter, authorizes intersection controls for the Westridge Place Subdivision (District 6). PROPOSAL NO. 410, 2004. The proposal, sponsored by Councillor Plowman, authorizes intersection controls for the Glen Ridge Subdivision, Section 1 (District 25). PROPOSAL NO. 411, 2004. The proposal, sponsored by Councillor Speedy, authorizes intersection controls for the Woods 'n Meadows Subdivision, Section 1 (District 24). PROPOSAL NO. 412, 2004. The proposal, sponsored by Councillor Cockrum, authorizes intersection controls for the Decatur Ridge Subdivision, Section 1 (District 22). PROPOSAL NO. 413, 2004. The proposal, sponsored by Councillor Plowman, authorizes intersection controls for the Spring Mist Subdivision (District 25). PROPOSAL NO. 414, 2004. The proposal, sponsored by Councillor Plowman, authorizes intersection controls for the Becker Estates at Wildwood Farms Subdivision, Sections 1 & 2 (District 25). PROPOSAL NO. 415, 2004. The proposal, sponsored by Councillor Plowman, authorizes a multi-way stop at the intersection of Prairie Dog Drive and Wagon Wheel Trail (District 25). PROPOSAL NO. 416, 2004. The proposal, sponsored by Councillor Brown, authorizes a multi-way stop at the intersection of Shannon Pointe Road and Wilford Lane (District 18). PROPOSAL NO. 417, 2004. The proposal, sponsored by Councillor Mansfield, authorizes a multi-way stop at the intersection of Munsee Lane and Oakwood Trail (District 2). PROPOSAL NO. 418, 2004. The proposal, sponsored by Councillor Mansfield, authorizes a multi-way stop at the intersection of Alimingo Drive and Oakwood Trail (District 2). PROPOSAL NO. 419, 2004. The proposal, sponsored by Councillor Salisbury, authorizes a traffic signal for the intersection of Bridgeport Road and Morris Street (District 13). PROPOSAL NO. 420, 2004. The proposal, sponsored by Councillor Abdullah, authorizes a traffic signal for the intersection of Barnhill Drive and New York Street (District 15). PROPOSAL NO. 421, 2004. The proposal, sponsored by Councillor Abdullah, authorizes parking restrictions on Indiana Avenue near St. Clair Street (District 15). PROPOSAL NO. 422, 2004. The proposal, sponsored by Councillor Keller, authorizes parking restrictions on Southeastern Avenue between Chester Avenue and Grant Avenue (District 16). By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Conley moved, seconded by Councillor Cockrum, for adoption. Proposal Nos. 403-422, 2004 were adopted on the following roll call vote; viz:

*28 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy, Talley*  
*0 NAYS:*  
*1 ABSENT: Sanders*

Proposal No. 403, 2004 was retitled GENERAL ORDINANCE NO. 63, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 63, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, Sec. 621-121, Parking prohibited at all times on certain streets, and Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the deletion of the following, to wit:

**ON ANY DAY EXCEPT SATURDAYS,  
SUNDAYS AND HOLIDAYS  
From 4:00 p.m. to 6:00 p.m.**

Hoyt Avenue, on both sides, from Rural Street to Keystone Avenue

Keystone Avenue, on both sides, from Hoyt Avenue to South City Limits

Rural Street, on both sides, from Keystone Avenue to Hoyt Avenue

**From 7:00 a.m. to 9:00 a.m.**

Hoyt Avenue, on both sides, from Rural Street to Keystone Avenue

Keystone Avenue, on both sides, from Hoyt Avenue to South City Limits

Rural Street, on both sides, from Keystone Avenue to Hoyt Avenue

SECTION 2. The “Revised Code of the Consolidated City and County,” specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Hoyt Avenue, on both sides, from Rural Street to Keystone Avenue

Keystone Avenue, on both sides, from Hoyt Avenue to Woodlawn Avenue

Rural Street, on both sides, from Hoyt Avenue to a point 340 feet north of Hoyt Avenue

SECTION 3. The “Revised Code of the Consolidated City and County,” specifically, Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the addition of the following, to wit:

**ON ANY DAY EXCEPT SATURDAYS,  
SUNDAYS AND HOLIDAYS  
From 4:00 p.m. to 6:00 p.m.**

Keystone Avenue, on both sides, from Woodlawn Avenue to South City Limits

Rural Street, on both sides, from Keystone Avenue  
To a point 340 feet north of Hoyt Avenue

**From 7:00 a.m. to 9:00 a.m.**

Keystone Avenue, on both sides, from Woodlawn Avenue to South City Limits

Rural Street, on both sides, from Keystone Avenue  
To a point 340 feet north of Hoyt Avenue

SECTION 4. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	Hoyt Av	Hoyt Av (WB)	Stop
	Keystone Av	Keystone Av (NB)	

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 404, 2004 was retitled GENERAL ORDINANCE NO. 64, 2004, and reads as follows:



August 2, 2004

CITY-COUNTY GENERAL ORDINANCE NO. 64, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45	Buck Run Ct Meadows Edge Ln	Meadows Edge Ln	Yield
45	Buck Valley Ct Meadows Edge Ln	Meadows Edge Ln	Yield
45	Deer Trail Dr Katherine Dr	Katherine Dr	Stop
45	Deer Trail Dr Lake Vista Ln	Deer Trail Dr	Stop
45	Deer Trail Dr Misty Meadows Dr	Deer Trail Dr	Stop
45	Deer Trail Dr Silver Fox Dr	Deer Trail Dr	Stop
45	Deer Trail Dr Vincent Ct	Deer Trail Dr	Stop
45	Meadows Edge Ln Misty Meadows Dr	Misty Meadows Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 405, 2004 was retitled GENERAL ORDINANCE NO. 65, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 65, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
21	Braxton Ct Braxton Dr	Braxton Dr	Stop
21	Braxton Dr 30 <sup>th</sup> St	30 <sup>th</sup> St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 406, 2004 was retitled GENERAL ORDINANCE NO. 66, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 66, 2004

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45	Lake Tree Cir Lake Tree Ln Lake Tree Pl	Lake Tree Ln Lake Tree Pl	Stop
45	Lake Tree Ln Maple Stream Dr	None	All Way Stop
45	Lake Tree Pl Maple Stream Blvd	Maple Stream Blvd	Stop
45	Maple Stream Blvd Maple Stream Dr	Maple Stream Dr	Stop
45	Maple Stream Blvd Maple Stream Ln	Maple Stream Blvd	Stop
45	Maple Stream Blvd Stop 11 Rd	Stop 11 Rd	Stop
45	Maple Stream Dr Maple Stream Ln	Maple Stream Dr	Stop
45	Maple Stream Dr Stream View Ct	Maple Stream Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 407, 2004 was retitled GENERAL ORDINANCE NO. 67, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 67, 2004

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

August 2, 2004

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22	Drewmatt Ln Robey Meadows Ln	Robey Meadows Ln	Stop
22	Gammon Dr Robey Meadows Ln	Robey Meadows Ln	Stop
22	Raceway Rd Robey Meadows Ln	Raceway Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 408, 2004 was retitled GENERAL ORDINANCE NO. 68, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 68, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
15	Drewmatt Ln Robey Glen Dr	Robey Glen Dr	Stop
15	Gammon Dr Robey Glen Dr	Robey Glen Dr	Stop
15	Raceway Rd Robey Glen Dr	Raceway Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 409, 2004 was retitled GENERAL ORDINANCE NO. 69, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 69, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22	Theodore Cir Theodore Dr	Theodore Dr	Stop
22	Theodore Ct Theodore Dr	Theodore Dr	Stop
22	Theodore Dr 21 <sup>st</sup> St	21 <sup>st</sup> St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 410, 2004 was retitled GENERAL ORDINANCE NO. 70, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 70, 2004

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
48	Crystal Ridge Cir Crystal Ridge Ct	Crystal Ridge Cir	Stop
48	Crystal Ridge Cir Sunset Pointe Dr Sunset Ridge Pkwy	Sunset Ridge Pkwy	Stop
48	Five Points Rd Sunset Ridge Pkwy	Five Points Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 411, 2004 was retitled GENERAL ORDINANCE NO. 71, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 71, 2004

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40	Blackstone Dr Red Maple Dr	Blackstone Dr	Stop
40	Edgewood Av Red Maple Dr	Edgewood Av	Stop
40	Goldenrain Ct Red Maple Dr	Red Maple Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 412, 2004 was retitled GENERAL ORDINANCE NO. 72, 2004, and reads as follows:

August 2, 2004

CITY-COUNTY GENERAL ORDINANCE NO. 72, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
36	Blackthorn Dr Decatur Ridge Dr	Decatur Ridge Dr	Stop
36	Decatur Ridge Dr Fair Ridge Dr Fair Ridge Pl	None	All Way Stop
36	Decatur Ridge Dr Millhouse Rd	Millhouse Rd	Stop
36	Decatur Ridge Dr Wooden Branch Dr	None	All Way Stop
36	Fair Ridge Dr Wooden Branch Dr	None	All Way Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 413, 2004 was retitled GENERAL ORDINANCE NO. 73, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 73, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40	Shelbyville Rd Spring Mist Cir Wagon Wheel Trail	Shelbyville Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 414, 2004 was retitled GENERAL ORDINANCE NO. 74, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 74, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
34	Blue Ash Ln Sweet Birch Dr	Blue Ash Ln	Stop
34	Coralberry Ct Coralberry Ln	Coralberry Ln	Stop
34	Coralberry Ln Tupelo Dr Sweet Birch Dr	Sweet Birch Dr	Stop
34	Franklin Rd Sweet Birch Dr	Franklin Rd	Stop
34	Tupelo Ct Tupelo Dr	Tupelo Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 415, 2004 was retitled GENERAL ORDINANCE NO. 75, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 75, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40	Prairie Dog Dr Wagon Wheel Trail	Wagon Wheel Trail	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40	Prairie Dog Dr Wagon Wheel Trail	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 416, 2004 was retitled GENERAL ORDINANCE NO. 76, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 76, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

August 2, 2004

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
28	Shannon Pointe Rd Wilford Ln	Wilford Ln	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
28	Shannon Pointe Rd Wilford Ln	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 417, 2004 was retitled GENERAL ORDINANCE NO. 77, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 77, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
10	Munsee Ln Oakwood Trail	Oakwood Trail	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
10	Munsee Ln Oakwood Trail	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 418, 2004 was retitled GENERAL ORDINANCE NO. 78, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 78, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
10	Alimingo Dr Oakwood Trail	Oakwood Trail	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
10	Alimingo Dr Oakwood Trail	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 419, 2004 was retitled GENERAL ORDINANCE NO. 79, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 79, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
29	Bridgeport Rd Morris St	None	All Way Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
29	Bridgeport Rd Morris St	None	Signal

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 420, 2004 was retitled GENERAL ORDINANCE NO. 80, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 80, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24	Barnhill Dr New York St	None	Signal

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 421, 2004 was retitled GENERAL ORDINANCE NO. 81, 2004, and reads as follows:



*August 2, 2004*

CITY-COUNTY GENERAL ORDINANCE NO. 81, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

Indiana Avenue, on the northeast side, from  
A point 50 feet northwest of St. Clair Street,  
To a point 100 feet southeast of St. Clair Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 422, 2004 was retitled GENERAL ORDINANCE NO. 82, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 82, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-106, Obstruction of sidewalks, grassplots, crosswalks or other public spaces.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-108, 621-106, Obstruction of sidewalks, grassplots, crosswalks or other public spaces, be and the same is hereby amended by the addition of the following, to wit:

Southeastern Avenue, on the southside, from  
A point 120 feet southeast of Chester Avenue to Grant Avenue

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

On behalf of Committee Chairman Boyd, Councillor Gibson reported that the Rules and Public Policy Committee heard Proposal Nos. 423 and 424, 2004 on July 20, 2004. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 423, 2004. The proposal, sponsored by Councillors Gibson and Pfisterer, approves the Mayor's establishment of a charter school, "Indianapolis Lighthouse Charter School #1," by issuing a charter to Lighthouse Academies, Inc. PROPOSAL NO. 424, 2004. The proposal, sponsored by Councillors Gibson and Pfisterer, approves the Mayor's establishment of a charter school, "Indianapolis Lighthouse Charter School #2," by issuing a charter to Lighthouse Academies, Inc. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Pfisterer commended those that investigate these charter school applicants and review the applications, as she could not think of anything that had not been covered. She said that these arts-infused schools are open to all children and will help to build excitement about going to school.

Councillor Mansfield said that she agrees that these are good projects, but she would like to see some future charters that address children with special needs or at-risk children. She encouraged the charter schools administration to look at some options such as these.

Councillor Nytes said that her district is predominantly Indianapolis Public Schools (IPS) and she is constantly asked how she can advocate charter schools. She said that for this reason, she spends a lot of time asking questions, and has learned that discovering new solutions is how the City learns and grows. While she supports the additional diversity charter schools bring, the City needs to continue to support IPS and help to serve them and find solutions for their lack of funding.

Councillor Pfisterer said that with regards to Councillor Mansfield's comments, there is a proposal being discussed for a charter school to address children with special needs, which is still in its preliminary stages.

Councillor Gibson moved, seconded by Councillor Pfisterer, for adoption. Proposal Nos. 423 and 424, 2004 were adopted on the following roll call vote; viz:

*28 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy, Talley*  
*0 NAYS:*  
*1 ABSENT: Sanders*

Proposal No. 423, 2004 was retitled COUNCIL RESOLUTION NO. 66, 2004, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 66, 2004

A PROPOSAL FOR A COUNCIL RESOLUTION approving the Mayor's establishment of a charter school, "Indianapolis Lighthouse Charter School #1," by issuing a charter to Lighthouse Academies, Inc.

WHEREAS, the Mayor is authorized by IC 20-5.5 to issue charters for chartered schools within the Consolidated City; and

WHEREAS, IC 20-5.5-3-4 requires that a majority of the members of the City-County Council approve the establishment of charter schools prior to the Mayor issuing a charter; and

WHEREAS, the Mayor has announced his intention to issue a charter to Lighthouse Academies, Inc. for a charter school named "Indianapolis Lighthouse Charter School #1"; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. A majority of the members of the City-County Council hereby authorizes the Mayor to establish a charter school, "Indianapolis Lighthouse Charter School #1," by issuing a charter to Lighthouse Academies, Inc.

SECTION 2. This resolution shall be in full force and effect from and after adoption.

Proposal No. 424, 2004 was retitled COUNCIL RESOLUTION NO. 67, 2004, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 67, 2004

A PROPOSAL FOR A COUNCIL RESOLUTION approving the Mayor's establishment of a charter school, "Indianapolis Lighthouse Charter School #2," by issuing a charter to Lighthouse Academies, Inc.

*August 2, 2004*

WHEREAS, the Mayor is authorized by IC 20-5.5 to issue charters for chartered schools within the Consolidated City; and

WHEREAS, IC 20-5.5-3-4 requires that a majority of the members of the City-County Council approve the establishment of charter schools prior to the Mayor issuing a charter; and

WHEREAS, the Mayor has announced his intention to issue a charter to Lighthouse Academies, Inc. for a charter school named "Indianapolis Lighthouse Charter School #2"; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. A majority of the members of the City-County Council hereby authorizes the Mayor to establish a charter school, "Indianapolis Lighthouse Charter School #2," by issuing a charter to Lighthouse Academies, Inc.

SECTION 2. This resolution shall be in full force and effect from and after adoption.

**NEW BUSINESS**

Councillor Gray stated that Councillor Abdullah has been honored to serve as an ambassador to Sudan, Africa. Councillor Abdullah said that he appreciates being chosen as a delegate of elected officials for this trip to Sudan. He said that while he is not yet sure of all the details of the mission, he is glad to extend his hand and represent Indianapolis.

Reverend Pinkney stated that the County Auditor referred to privatizing the jails in her opening budget speech. She asked who will own these private jails. President Boyd stated that this will be considered during budget discussions and Committee hearings.

Councillor Cockrum said that there is a bookcase kept in the Council office for Councillors to leave their budget binders. He suggested that Councillors put one of their business cards in the County Budget Book sleeve so that their book is not picked up inadvertently by another Councillor.

**ANNOUNCEMENTS AND ADJOURNMENT**

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillors Moriarty Adams, Nytes and Talley in memory of Delores J. Milum Knox; and
- (2) Councillor Moriarty Adams in memory of John D. Murphy; and
- (3) Councillor Randolph in memory of David Dwayne May; and
- (4) Councillor Talley in memory of Gearldyne Miles; and
- (5) Councillor Gibson in memory of Luella Thomas.

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Delores J. Milum Knox, John D. Murphy, David Dwayne May, Gearldyne Miles, and Luella Thomas. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:22 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 2nd day of August, 2004.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)